

REMARKS

Reconsideration of the present application as amended is respectfully requested.

By means of the present amendment, the specification has been amended for better conformance to U.S. patent practice.

In the Office Action, the Examiner indicated that the letter mailed on August 29, 2002, (referred to by the Examiner as an Information Disclosure Statement) submitting an International Search Report dated July 31, 2002, fails to comply with 37 CFR 1.98(a)(2) for not providing copies of the listed references. Applicant believes that any duty to disclose has been satisfied by placing the International Search Report in the file, and that there is no need to consider on the merits the references cited in the International Search Report since this reference is of category "A", "defining general state of the art which is not considered to be of particular relevance".

In the Office Action, it was noted that the Declaration does not reflect the preliminary amendment that was concurrently filed with the present application. Applicant appreciates this note and

submits that it is believed that there is no need for such a reference the preliminary amendment in the Declaration.

In the Office Action, the Examiner reminded the Applicant of the format of the Abstract. In response, the current Abstract has been amended as shown in the enclosed Replacement Abstract for better conformance to U.S. practice.

Further, the Examiner noted that the preliminary amendment was not signed. Applicant also greatly appreciates this note. It is not clear whether this preliminary amendment was entered. For the sake of clarity, it is assumed that this preliminary amendment was not entered and the present amendment amends claim 7 in accordance with the preliminary amendment.

In the Office Action, the Examiner suggested adding headings to the specification. Applicants gratefully acknowledge the Examiner's suggestion, however respectfully decline to add the headings as they are not required in accordance with MPEP §608.01(a).

In the Office Action, the Examiner indicated that the title of the invention was not sufficiently descriptive, and required a new title. In response, the current title has been deleted and

substituted with a new title which is clearly indicative of the invention to which the claims are directed. Accordingly, withdrawal of the objection to the title is respectfully requested.

In the Office Action, claims 1 and 7-8 were objected to for lacking separation between elements, as well as having an incorrect reference designation for 'content provider' in claim 7. In response, claims 1-8 have been amended to include separation where applicable, and to delete reference designations. The claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents.

In the Office Action, claims 1-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0044899 (Levy) and further in view of "Free On-Line Dictionary of Computing" by LinuxGuruz (LinuxGuruz). Applicant respectfully traverse this rejection and submits that claims 1-8, as well as new claims 9-13, are patentable over Levy and LinuxGuruz for at least the following reasons.

Levy is directed to a method for trademarking of multimedia signals where a first digital watermark in a media signal is

detected. Then the Levy method embeds message information from the first digital watermark into a second digital watermark in the very SAME media signal or at least the SAME type of a media signal. The second digital watermark is adapted for robustness and to survive the transformation process.

In stark contrast, the present invention as recited in independent claims 1 and 8 requires decoding extra information embedded in a video signal, and embedding the extra information in an audio signal. That is the newly embedded extra information is embedded in an audio signal, which different from the video signal that originally included the extra information. This provides substantial benefits, such as ease of processing the audio signal containing the embedded extra information by consumer devices, such as a mobile phone, yet at the same time maintaining the robustness and security of the original video signal that includes the embedded extra information, such as maintaining the difficulties in detecting and/or removing the embedded extra information from the video signal by unauthorized parties.

Levy is not at concerned nor is able to provide such benefits. Further, Levy embeds message information from the first digital


watermark into a second digital watermark in the very SAME media signal or type. Accordingly, Levy teaches away from the present invention as recited in independent claims 1 and 8 that requires decoding extra information embedded in a video signal, and embedding the extra information in an audio signal. Further, LinuxGuruz does not remedy this deficiency in Levy.

Accordingly, it is respectfully submitted that claims 1 and 8 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-7 and 9-13 should also be allowed at least based on dependence from independent claims 1 and 8, as well as for the separately patentable elements contained in each of the dependent claims.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Applicant reserves the right to submit further arguments in support of the above stated position as well as the right to introduce relevant secondary considerations including long-felt but unresolved needs in the industry, failed attempts by others to invent the invention, and the like, should that become necessary.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
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August 22, 2005

Enclosure: Replacement Abstract

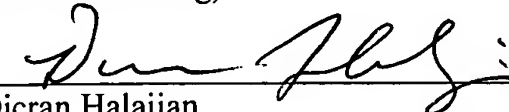
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